FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.2365 OF 2006

Ajay D.Sheth)..Applicant

V/s.

The State of Maharashtra)..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.L.Maneshinde i/by Mrs.Varsha Palav for the applicant.

Mr.Kamlakar Shenoy original Compl-ainant is present.

Mr.K.V.Saste APP for the State.

Coram : R.S.Mohite,J

Date : 22.6.2006.

PC

1. This is an application for grant of bail. The applicant is shown as an accused in C.C.No.32/P/2006 pending on the file of Metropolitan Magistrate 38th Court, Ballard Pier. The case is against about 22 accused and the offence is alleged under

Sections 406, 420, 463, 465, 467, 468, 471, 477-A read with section 120-B of IPC. It appears that the case was filed on the behest of the Complainant Kamlakar Shenoy who is the member of the society and the allegation is that the accused persons have forged the resolution of Ashwini Financial Services Pvt. Ltd., It appears that initially the present applicant was not shown as an accused when the charge-sheet was filed. However, subsequently supplimentary charge-sheet came to be filed against him. Summons was issued to secure his presence but the same was sent at the address at Manohar building, K.S.Sharma Marg, Bombay-400 002. Summons could not be served as accused was not found staying there as in the meanwhile he has shifted to Sion. In the circumstances, NBW was issued. The applicant surrendered before the trial Court on 21.6.2006 and moved an

application for cancellation of NBW. He was taken into custody and bail was refused on the ground that one of the offence was punishable with life imprisonment. Complainant today is present in the Court and he fairly states that the applicant has shifted his residence and states that presently applicant is not residing in the Manohar building. In the circumstances, the applicant cannot alone be blamed for not remaining present in the Court. Be that as it may, it is now necessary to secure the presence of the applicant for the purpose of trial, I am inclined to grant bail on imposing certain conditions. It is therefore, directed that pending his trial in pursuance of Criminal Case No.32/P/2006 pending on the file of Metropolitan Magistrate 38th Court, Ballard Pier, the applicant be released on bail in the sum of Rs.15,000/- with one or two sureties in the like

amount, subject to the condition that he will remain present on all dates of the trial in the trial Court unless exempted. Parties to act on an authenticated copy of this order.

(R.S.Mohite,J)